

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
                                ) CASE NO. 1:09-CR-181  
v.                             )  
                                ) Chief Judge Curtis L. Collier  
CHARLES HART                 )

**O R D E R**

On October 20, 2010, Magistrate Judge William B. Mitchell Carter filed a Report and Recommendation (“R&R”) recommending (a) the Court accept Defendant’s plea of guilty to Count One of the Indictment in exchange for the undertakings made by the government in the written plea agreement; (b) the Court adjudicate Defendant guilty of the charges set forth in Count One of the Indictment; (c) that a decision on whether to accept the plea agreement be deferred until sentencing; and (d) Defendant shall remain in custody pending sentencing in this matter (Court File No. 827). Neither party filed an objection within the given fourteen days. After reviewing the record, the Court agrees with the magistrate judge’s R&R. Accordingly, the Court **ACCEPTS** and **ADOPTS** the R&R (Court File No. 827) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant’s plea of guilty to Count One of the Superceding Indictment, in exchange for the undertakings made by the government in the written plea agreement, is **ACCEPTED**;
- (2) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Count One of the Superceding oh Indictment;
- (3) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and
- (4) Defendant **SHALL REMAIN IN CUSTODY** pending sentencing on **Thursday,**

**February 24, 2011, at 9:00 a.m.**

**SO ORDERED.**

ENTER:

/s/

**CURTIS L. COLLIER  
CHIEF UNITED STATES DISTRICT JUDGE**